

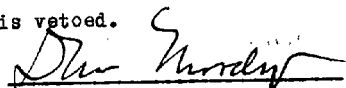
April 4, 1927

I hereby veto House Bill Number 64, being "An Act amending Article 534 of the Penal Code of the State of Texas making it a penal offense for any person to cause, encourage or contribute to the delinquency of any minor under the age of seventeen years; and declaring an emergency."

This Act attempts to amend Article 534, Penal Code, 1925. At present this Article provides: "in all cases where any child shall be a delinquent child * * * the parent, guardian or person having custody of or personally responsible for such child, who by any act encourages, causes or contributes to the delinquency * * * of such child * * * shall be fined not exceeding five hundred dollars," etc. House Bill Number 64 would amend said Article to provide "in all cases where any child shall be a delinquent child * * * the parent, guardian or person having the custody of, or the person responsible for such child, or any other person who by any act encourages, causes, acts in conjunction with or contributes to the delinquency * * * of such child, or who shall in any manner cause, encourage, act in conjunction with, or contribute to the delinquency, dependency or negligence of such child, shall be fined not exceeding five hundred dollars," etc. It is apparent that in undertaking to amend Article 534 that the draftsman confused some of the terms in the bill. It might be plausibly argued if House Bill Number 64 should become a law that the parent of the delinquent child would be subject to the fines imposed by such bill regardless of whether such parent or guardian had contributed to such delinquency. The word "negligence" is inadvertently used where it was intended to use another word. This error appears twice in the bill.

The definition of "delinquency" is very much enlarged by the terms of this bill, and after setting out a number of things which would constitute delinquency it adds that "any other act which would constitute such child a delinquent or cause it to become a delinquent by committing such act." The bill could be simplified and made much plainer and more susceptible of enforcement, and questions which will arise under it could be eliminated by simplifying this language.

For the reasons stated this bill is vetoed.



Governor of the State of Texas.